

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL NO. 1:05CV90

**VALUEPEST.COM OF CHARLOTTE,)
INC., f/k/a Budget Pest Prevention,)
Inc.; NATIONAL PEST CONTROL,)
INC.; and PEST PROS, INC.,)
individually and on behalf of persons)
similarly situated,)**

Plaintiffs,)

Vs.)

J U D G M E N T

**BAYER CORPORATION; BAYER)
CROPSCIENCE, L.P.; and BASF)
CORPORATION,)**

Defendants.)

For the reasons set forth in the Memorandum and Order filed
herewith,

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that
the Plaintiffs' motion for summary judgment on the issue of liability is
DENIED, and the motions of Defendants Bayer Corporation/Bayer
Cropscience, L.P., and Defendant BASF Corporation for summary

judgment are **ALLOWED**, and this matter is hereby **DISMISSED WITH PREJUDICE** in its entirety.

Signed: July 13, 2007

A handwritten signature in black ink, appearing to read 'Lacy H. Thornburg', written over a horizontal line.

Lacy H. Thornburg
United States District Judge

